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Attorneys for Defendants
CITY OF ALAMEDA, JOHN KAANEHE,
HARRIS SMILER, ANTHONY BUCK,
JAMES FISHER, and KEVIN HORIKOSHI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MALI WATKINS,

Plaintiff,

V.

CITY OF ALAMEDA, JOHN KAANEHE,
HARRIS SMILER, ANTHONY BUCK,
JAMES FISHER, KEVIN HORIKOSHI, and
DOES 1-50 inclusive,

Defendants.

Case No. 4:21-cv-06080-KAW

**STIPULATION AND ORDER DISMISSING
FOURTH TO SIXTH CAUSES OF ACTION
AND TIME FOR DEFENDANTS TO FILE
ANSWER TO COMPLAINT AND REFERRING
CASE TO MAGISTRATE JUDGE SALLIE KIM
FOR SETTLEMENT CONFERENCE**

Hon. Kandis A. Westmore

1. The parties, acting by and through their attorneys of record, stipulate for an Order dismissing the Fourth Cause of Action (First Amendment), with prejudice; Fifth Cause of Action (Denial of Medical Care), with prejudice; Sixth Cause of Action (Malicious Prosecution), with prejudice; and the Sixth Cause of Action (Monell) without prejudice.

2. The parties also stipulate for an Order providing that the City Defendants will file their answer to the remaining causes of action within two weeks of the Court signing this stipulation and Order thereon.

3. The parties further stipulate for an Order assigning this case to Magistrate Judge Sallie

1 Kim for a mandatory settlement conference and request that the assignment order allow the parties to
2 meet with Judge Kim to schedule the settlement conference and said scheduling meeting may occur
3 before the case management conference (the CMC is now set for November 9, 2021)

4 4. The parties will complete their Rule 26 disclosures within two weeks after the November
5 9, 2021 cmc.

6 5. The parties also stipulate and agree to defer formal written discovery and depositions until
7 after completion of the mandatory settlement conference

8 IT IS SO STIPULATED.

9 DATED: August 27, 2021

LAW OFFICES OF JOHN L. BURRIS

10 11 By: /s/ K. Chike Odiwe

12 *Mr. Odiwe consented to filing this document
13 electronically
14 John L. Burris
K. Chike Odiwe
Attorneys for the Plaintiff
MALI WATKINS

16 DATED: August 27, 2021

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

17 18 By: /s/ Gregory M. Fox

19 Gregory M. Fox
Joanne Tran
20 Attorneys for Defendants
CITY OF ALAMEDA, JOHN KAANEHE,
HARRIS SMILER, ANTHONY BUCK, JAMES
21 FISHER, and KEVIN HORIKOSHI

23 **ATTORNEY ATTESTATION**

24 I, Gregory M. Fox, am the ECF user whose identification and password are being used to file the
25 foregoing documents. Pursuant to Civil Local Rule 5.1(i), I hereby attest that concurrence in the filing of
26 these documents has been obtained from each of its Signatories.

27 Dated: August 27, 2021

/s/ Gregory M. Fox

28 Gregory M. Fox

ORDER

Good cause appearing the stipulation IS SO ORDERED.

DATED: September 13, 2021

HONORABLE KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE